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May 18, 2006

Attorney Docket No.: CIS0070US

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: Applicant(s): Stephen H. Houchen  
Assignee: Cisco Technology, Inc.  
Title: Protocol for Automatic Traffic Provisioning in 4-Fiber BLSR  
SONET Networks  
Serial No.: 09/607,593  
Filing Date: June 30, 2000  
Examiner: Frank Duong  
Attorney Docket No.: CIS0070US  
Group Art Unit: 2666

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard
- (2) This Transmittal Letter - 1 page (in duplicate);
- (3) Petition to Withdraw Holding of Abandonment (with 5 supporting documents) - 9 pages; and
- (4) Response to Non-Final Office Action of September 7, 2004 - 12 pages.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below:

**CLAIMS AS AMENDED**

	Claims Remaining <u>After Amendment</u>		Highest No. Previously <u>Paid For</u>		Present <u>Extra</u>		<u>Rate</u>		Additional <u>Fee</u>
Total Claims	45	Minus	50	=	0	x	\$50.00	\$	0.00
Independent Claims	9	Minus	12	=	0	x	\$200.00	\$	0.00
<input type="checkbox"/>	Fee of _____ for the first filing of one or more multiple dependent claims per application							\$	
<input type="checkbox"/>	Fee for Information Disclosure Statement							\$	0.00
<b>Total additional fee for this Amendment:</b>								\$	<u>0.00</u>
<input checked="" type="checkbox"/>	Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.								
<input type="checkbox"/>	Please charge our Deposit Account No. 502306 in the amount of							\$	<u>0.00</u>
<input checked="" type="checkbox"/>	Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 502306.								
<b>Total:</b>								\$	0.00

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as First Class Mail in an envelope  
addressed to: Commissioner For Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on May 18, 2006.

*Brenna A. Brock*  
Attorney for Applicant(s)

5/18/2006  
Date of Signature

Respectfully submitted,

*Brenna A. Brock*  
Brenna A. Brock  
Attorney for Applicant(s)  
Reg. No. 48,509



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen H. Houchen  
Assignee: Cisco Technology, Inc.  
Title: Protocol for Automatic Traffic Provisioning in 4-Fiber BLSR SONET Networks  
Serial No.: 09/607,593 Filed: June 30, 2000  
Examiner: Frank Duong Group Art Unit: 2666  
Docket No.: CIS0070US

Austin, Texas  
May 18, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:


The above-identified application is believed to be abandoned for failure to respond to the Non-Final Office Action of September 7, 2004, which had a shortened statutory period set to expire December 7, 2004, and a statutory period set to March 7, 2005. Pursuant to 37 C.F.R. § 1.181(a), the applicants respectfully petition the Commissioner to withdraw the holding of abandonment in the above-identified application, in light of the following points.

1. According to the first page of the Non-Final Office Action of September 7, 2004 (see attached copy), the Office Action was mailed to applicants' previous counsel, Skjerven Morrill LLP.
2. The original Non-Final Office Action of September 7, 2004, was never received by the applicants' current representatives.
3. The applicants properly changed the address of correspondence from previous counsel to the firm of the undersigned attorney via customer number spreadsheet on or about September 10, 2002 (see attached copy of a fax from the PTO, which lists the above-identified application on page 8).
4. The applicants believed the change of address of (3) was effective because the Notice to File Missing Parts (see attached copy) as well as the Decision on Petition (see attached copy) was mailed to the undersigned attorney at the correct address on April 3, 2003.

6. The applicants believe that the Non-Final Office Action of September 7, 2004, was sent in error, and through no fault of their own, to previous counsel.
7. Per MPEP §711.03(c)(I)(A), the applicants respectfully submit that a Petition to Withdraw Holding of Abandonment is proper under these circumstances. Accordingly, the undersigned states for the record that the original Non-Final Office Action of September 7, 2004, was not received by counsel for the applicants, and attests to the fact that a search of the file jacket and docket records indicates that the original Non-Final Office Action of September 7, 2004 was not received. A copy of the docket record is attached.
8. A Response to the Non-Final Office Action of September 7, 2004, accompanies this petition.
9. The applicants therefore respectfully request that the holding of abandonment be withdrawn.


In view of the remarks set forth herein, the applicants believe the holding of abandonment should be withdrawn and that no petition fee is required. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (512) 439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on May 18, 2005.

  
Attorney for Applicant(s)

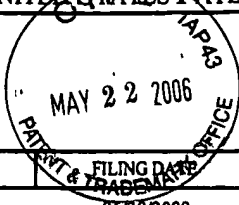
5/18/2006  
Date of Signature

Respectfully submitted,

  
Brenna A. Brock,  
Attorney for Applicant(s)  
Reg. No. 48,509  
(512) 439-5087  
(512) 439-5099 (fax)



# UNITED STATES PATENT AND TRADEMARK OFFICE



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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,593	06/30/2000	Stephen H. Houchen	CIS0070US	1182

24251 7590 09/07/2004

SKJERVEN MORRILL LLP  
25 METRO DRIVE  
SUITE 700  
SAN JOSE, CA 95110

EXAMINER

DUONG, FRANK

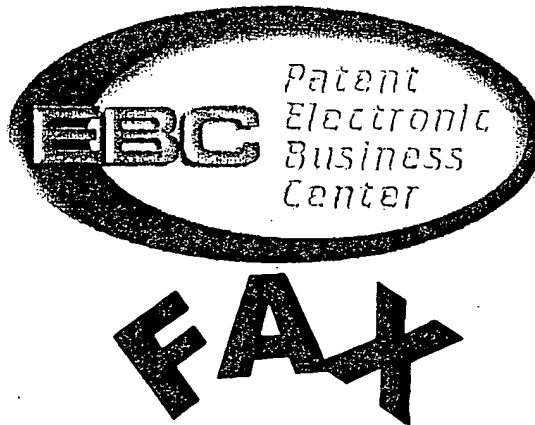
ART UNIT PAPER NUMBER

2666

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## BEST AVAILABLE COPY

**To:** Samuel G. Campbell, III**From:** Keith E. Peterson**Fax:** 512-439-5099**Date:** September 10, 2002**Phone:** 512-439-5084**Pages:** 12 (Including Cover Letter)**Re:** CN Upload for CN 33031**CC:**

We are in receipt of your spreadsheet to associate your applications/patents with your customer number. We have compared the correspondence addresses of the applications/patents numbers from the list with the existing correspondence addresses in the PALM database and have generated a list of mis-matched addresses (error report). Please see the attached spreadsheet.

Please review all applications and patents on the attached error report spreadsheet. Once you have verified whether or not you wish to associate all of these numbers with your customer number, please mark them as such on the attached spreadsheet (i.e., yes or no) and fax it back to me at (703) 308-2840. Please note that once the Patent Electronic Business Center processes the final corrected list, the correspondence and maintenance fee addresses for each application found on the corrected list will be associated with the correspondence address from your customer number. **Detailed review and verification of the application and patent numbers on the error report list is critical because any application or patent on the approved final corrected list that should not have been included will be disassociated from its proper correspondence address and assigned to you.**

Notice that if the correspondence address comparison performed by the PEBC turns up a large number of applications on the error report, you may be asked to provide a new spreadsheet more consistent with the results shown from the error report.

If there are NO changes to be made, you can just fax me back to let me know that it is ok to associate all files with your customer number.

If you have any questions, please feel free to contact me at 1-866-217-9197 (toll free) or 1-703-305-3028.

Sincerely,

Keith E. Peterson

308 6910 ?

SKJERVEN MORRILL LLP

25 METRO DRIVE, SUITE 700, SAN JOSE, CA 95110, US

09607593

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/607,593	06/30/2000	Stephen H. Houchen	M-8343 US

CONFIRMATION NO. 1182

FORMALITIES LETTER



CAMPBELL STEPHENSON ASCOLESE, LLP  
4807 SPICEWOOD SPRINGS RD.  
BLDG. 4, SUITE 201  
AUSTIN, TX 78759

Date Mailed: 04/03/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

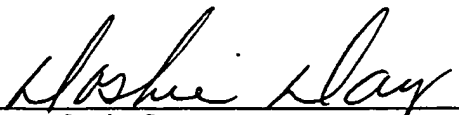
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY